3:Westermann E-5 (1910) 1912 FJ23 Shilluk FJ23

A certain man, a prince, whose name was Buk Dē Jǫk Buin Dānyimǫ, carried on a law-suit. Buk was a good man; he had a slave, whose name was Oshangǫ. He carried on the law-suit with Ayik, in the court of king Nyakwachǫ. And his servant ran in front of him (or: came instead of him, viz. of his master), and was stabbed by Ayik with a spear, so that he died. (As a punishment for this misdeed) the village Ogwōrǫ (which was the village of Ayik) was destroyed by the king; the children (of the village, or of Ayik) were caught, and Ayik was brought (banished) to Detang.

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33. A killed Crocodile is the Property of the Magistrate.

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Kɛ́ń mak nam, ka tɛ̄rǫ kɛ́dǫ[1], *ka tɛ̄rǫ nīnį gat, ka bǫ́i mɛ̄n peń, ka rech e bɛ̄nǫ, ka bǫi mɔ̄go kį rech, ka jɛ̄ ɟɔ̄ɖǫ, ka jɛ̄ chāmǫ. Ka wǫu rū, ka maye bɛ̄nǫ, ka tɛ̄rǫ mɔ̄ggǫ, ka ńań ka kɛ̀l, ka e makǫ kį ɖāp. Ka tɛ̄rǫ rɛ́ńa wǫk, ka tyɛ́ń tɛ̄k e dɔ̄ńǫ, ka ɖāp kɔ̀l gɛ wǫk, ka ńań nɛ́kɛ́. Ka tɛ̄rǫ kɛ́ wǫk, ka jāke bɛ̄nǫ, ka gɛ pɛ̄chǫ: ńań a gwɔ̄k edi? Kine: e nɛ̀k! Kine: dɛ ɛ ya kɛ́ń? Kine: nut. Yech! Ka yech. Ka e ko: ńǫ́lé, bā gik lɔ̄ggǫ. Ka kɛ̄te pach lɔ̄ggǫ, ka tɛ̄rǫ bɛ̄nǫ chɛ̄, ka ńań ɟɔ̄l yi jāgǫ, ńańe lɔ̄ggǫ. Ka e chwǫtǫ jɛ̄, ka jāk dwai, ka e chām; tɛ̄rǫ ko: ō, ńań an dɔ̄ch. Ɖuki mɛ̄kǫ ka ńań mɛ̄kǫ kwáń, ka chām yį tɛ̄re yau.

Ka jāggǫ e chwɔ̄tǫ, ka tɛ̄rǫ bɛ̄nǫ, ka e pɛ̄chǫ kine: wuna yik jɔ̄k, ya peńa gìche mɛ̄kǫ, gnd kwānu kį yey nam kâ; kine: á gin ɖńɔ̀? Ya peńa kwɔ̀l. Kine: ɛ́, kúchè wǫ́n! Kine: ɛ́, fate ńań a chām kį pay nate? Kine: ɛ́, e chāmǫ, nwǫle ńań tǫ̀ppǫ. Kine: ɛ́, chɔ̀lá! Ka e kyɛ̀dǫ, kine: ya·ba chudǫ. Kine: ɛ́, wa kā Bachōdǫ. Kine: ɛ́, wa kɛ̀dǫ.

Ka gɛ kɛ̀dǫ, ka gɛ wiła Bachōdǫ, ká gɛ̀ gɔ̀ńɔ̀, kine: wuo (wuɛ), yá ɖálè yį kwɔ́p kwǫfe ńate; kwɔ́l a chámè ɛ́n, kwɔl lɔ̄ggǫ. Kine: ɛ̀, yi chama ńǫ, ńate? Kine: wuo, kúchè yán. Rił e ko: grɛ, (γɛ́dɛ́), kɛ̀t chōl kį ɖǫk gá pyàrǫ, kį ɖāp! Ka e bɛ̄nǫ, ka e chudǫ ɖǫk gá pyàrǫ, kį ɖāp; ka gɛ kɔ̀l kōle rił, ų tɛ̄re líńe[2], *ka gɛ rūmǫ.*

It was at the time when the river was barred (shut up for fishing), and the people slept on the river bank, and the net was sunk down on the bottom of the river, and the fish came, and the net caught fish, and the people cooked and ate them. And when it grew morning, the fishermen came, and the people went fishing again, then a crocodile was speared, and it seized a man; the people became afraid, and ran away, but those among them who were brave, remained; they brought the man who had been bitten by the crocodile out on the river bank. Then they killed the crocodile, and went out of the river (taking the crocodile with them). The chiefs came, and asked, "What about the crocodile?" They answered, "It is killed." They asked again, "But where is it?" Answer, "It is still here." The chiefs said, "Skin it!" And it was

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[1] "When the river was caught, and the people went".
[2] that the people might hear.

3:Westermann E-5 (1910) 1912 FJ23 Shilluk FJ23

skinned. The chiefs said, "Cut it up! It is the property of the magistrate." So the meat was put into the house of the magistrate. All the people came; the crocodile was cooked by he chief, the crocodile of the magistrate. He called all the people, and invited the neighbouring chiefs too; they ate the crocodile. The people said, "Ah, this crocodile is good!" Some days later they again caught a crocodile, and it was eaten by the people.

But the district chief had heard about the matter. He called all the chiefs of his district together; they came, and he began, "You chiefs, I want to ask you something, it is the thing which you got from the river there." They asked, "What do you mean?" He replied, "I am asking for some animal you killed." They said, "We do not know!" He asked, "Why, has not a crocodile been eaten here in somebody's village?" They answered, "Yes, that is true, it has been eaten by the little children." He said, "Make amends for it!" But they refused, saying, "We will not do that." Then he said, "Well, we will go to Fashoda (to bring the matter before the king)." They said, "All right, let us go!" So they went, and arrived at Fashoda. There they told their case, saying (the district-chief speaks first), "My lord, I am in difficulty about some matter, the matter of a certain man, he has eaten a killed animal, an animal belonging to the magistrate." The king asked the accused one, "Why did you eat it, man?" He answered, "My lord, I did not know." The king said, "Why! go, and make amends! You are to give ten cows and a man." The chief brought what was asked, into the enclosure of the king, so that all people heard it, and learned to be careful.[1]

34. How Fashoda became the Royal Residence.

Ka jāk riŧ Tugò, jāk a pārɛ́, chwǫla Ńewājǫ. Ka wūŧ ka gɛ ńí bɛ̄nǫ, gɛ bɛ̄r[2] *ga wūŧe chót, ka gɛ ńí gwǫtǫ wiy pach ki chāńǫ. Ka riŧ e kōbǫ kine: bú́h, gɛ rɛ ru wūŧ, a réi gèn gwɛ̄tǫ? Kine: tygre pān gni. A gɛ̄r pān gni, a Pachōdǫ; a dɛge Tugǫ yejɛ, a kōbi Tugǫ kine: fān gni y chɛ̄k á pà rɛ̄ń! A bāne ńi rɛ̄ń ɛ̄dǫ yejɛ. A rūm é jàgò, a kōbi kine: ka wɛ̄da y rɛ̄ń, a rɛ̄ńé.*

King Tugǫ reigned, he reigned in his own village, which was called Nyewājǫ. And there were oxen, they used to come (to some place), they were oxen without horns, called chod, they used to dig the ground of that place with their heads every day. When the king saw that, he said, "My! why are the oxen always digging the ground?" He said, "They like this place." So a village was built there, it was Pachōdǫ. Tugǫ moved from his place into this new village. He said, "This village shall always remain the village of election (the village of the king)." Since that time the people elect the king in it. When the

[1] Crocodiles belong to the king ("to the authority, magistrate,") nobody is allowed to eat them without permission of the king or the district chief. Here the chiefs of the villages try to usurp the privilege of the district chief.

[2] From *bɛ̄dǫ* "to be".

9:Howell E-5 (1937-1950) 1952 FJ23 Shilluk FJ23

further evidence, that such offences were treated as private delicts in the past, though nowadays, through the influence of the Government, penal sanctions may be applied.

Witchcraft

The Dinka and Nuer tell us that witches and other anti-social persons were sometimes dispatched by their victims or their kinsmen with the tacit consent of the community. Acts of homicide against persons whose actions threatened the integrity of the community were either not subject to restitutory sanctions at all, or the compensation demanded by their kinsmen was on a much reduced scale.[1] A similar attitude towards witches is to be found among the Shilluk, but again without the support of actual examples.

In the published literature there are references to persons described variously as witches, sorcerers, magicians, medicine-men, and possessors of the evil eye,[2] and their activities and methods are described, but there are few references to the way in which they were treated. The sanction applied to witchcraft is normally counter-magic consciously applied by the victim.

Hofmayr speaks of 'the *jal yat*, the evil-doer, his aim in life is to do harm, both to life and to property, either by natural means or others,' and adds that 'the *jal yat* works in the dark, but if he is caught, he will be severely punished. Often he is handed over to the people who kill him.' Hofmayr also speaks of the 'poison mixer' (again *jal yat*) who 'is hardly ever discovered. If he is caught, the people will lynch him on the spot and his relations will have to leave the district.'[3] Another passage mentions that the compensation for killing a person possessing the evil eye is only four head of cattle instead of ten. These references, supported by what the Shilluk have told me, suggest an attitude similar to that found among the Nuer and Dinka.

It might be expected that, if there were any greater development of concepts of public law, and if the *reth* performed formal judicial and executive functions, acts of this sort would be subject not to merely private retaliation with the consent of the community, but rather to repressive sanctions applied by the *reth* or his representatives. In fact there is no evidence of this. It may be noted in this connexion that there are instances recorded during the last thirty years of attempts to introduce alien cults which would clearly be subversive of the ritual status of the *reth* and, through him, of the religious foundations of Shilluk society. For this reason Shilluk who have openly practised the Dinka cult of Deng have been severely repressed.[4] There is good reason to believe that such activities would have been punished by death in the past and they are, by their very nature, public delicts amounting to acts of treason.

Conclusions

Much of the evidence so far quoted is unreliable, mainly because the authors have recorded impressions rather than facts. My own conversations with the Shilluk on the subject have been limited and perfunctory, and for this reason cannot provide

[1] For example, the Nuer *ruth* or Ghoul - see Howell and Lewis, 'Nuer Ghouls --a form of Witchcraft', *S.N.R.* xxviii, 1947.

[2] *ajwop*, magician, *jal yat*, sorcerer, *yuub*, possessor of the evil eye. There are many references to the activities of such persons in Hofmayr, *Die Shilluk*. See also Oyler, D. S., 'The Evil Medicine Man', *S.N.R.*, 1920.

[3] Hofmayr, *op. cit.*

[4] See Willis, C. A., 'The Cult of Deng', *S.N.R.*, vol. xi, p. 191.

20: Thomson G-5 (1945-1946) 1948 FJ23 Shilluk FJ23

Fafiti had done. Opinion was decided that the succession lay with the sons of Fadiet, and as the electors gathered at Fashoda, so the sons of Fadiet left their homes and came within easy reach. This was a breach of tradition, which demands that all *nyireth* at such a time should remain quietly at home. It gave rise to certain fears among the chiefs that some *nyireth* might try to instal himself in vacant Fashoda by force. There was no evidence in the event that any *nyireth* had had such an intention. 643

The sons of Fadiet were not well known to the chiefs; unlike the sons of Kur, they had a reputation for being quiet and unassertive. There was no obvious choice designated, as Anei had been designated by Fafiti. The two king-makers reduced the sons of Fadiet to a short list of four names, and waited for a lead from me, as they could not decide upon any one of these four. After my suggestion that Dak Fadiet of Falo, one of their short list, would be a good choice, the chiefs at once agreed to him. There had been rumours of bribery, as in 1917, and two bribes were known to have been offered to, and refused by, Jago Tabo of Golbainy, the chief of Gol Dhiang. One had been offered by *nyireth* Nyikang Kur, a "princess" of evil repute, who wished her uterine brother, a son of *reth* Fadiet, to succeed. It appeared from a discussion with the two kingmakers that bribery on such a solemn occasion would result in certain death for the recipient at the hands of Nyikang and was out of the question. This may be so, and would be a reasonable tribal sanction to ensure an unbiassed choice. There was a suggestion from the southern Shilluk, where most of the sons of Fadiet live, that the electoral college with its northern bias would choose a *reth* from the north. There was no sign of this, because it was agreed at once that a son of Fadiet must succeed, and no one of these sons lived north of Fashoda. The feeling in the south that the north has more influence in Fashoda probably arose because the lines of *reth* Yor and *reth* Kur both come from the north and only that of *reth* Kwathker and his son Fadiet from the south. Fashoda itself is considered to be in the northern half of the kingdom. 643 666 [648] 662 643 666 [687] 643 666 631

Dak Fadiet was initially installed, and ceremonially washed and shaved by Ororo girls in Fashoda on 18.11.45. He was followed by a large crowd of some hundreds of armed men from Gol Nyikang and particularly from his own area of Fanyidwai and all the Colo chiefs present. His following was much larger than that of Anei in 1943. The crowd may have been expressing simple gratification that at last a *reth* had come from the south; they may have been there to try and prevent a candidate from the north being installed. But the ceremony 643

29:Dempsey M-5 (1940-1954) 1955
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in a leopard skin for a dance. Apart from these privileges, however, the son or grandson of a king is in no other way distinguished; he must undertake the menial tasks which fall to the lot of the boys of the village, the herding of the cows and sheep, the milking and the cleaning of the byre; he submits to the same ordeal of tattooing and cannot anticipate his initiation dance, the great coming-of-age celebration, by which he and others of his age-group formally become full members of the tribe. He is accorded a special respect, and if he is a Nyireth, a son of the king, is eligible for election to the high office of king of his people. The fifth generation of the king's descendants, though they are allowed to retain the title of Kwanyireth, descendants of the king, merge into the common people and are treated as such.

The second class is that of the Ororo, which holds a peculiar position in the social system. Its members are of royal blood, but are for ever debarred from election to the kingship. Shilluk history relates that of the fifth king, Ocalo, all the sons of his first wife were slain in battle with the Nuer, save one. This was a puny boy whom his father despised as unfit to be king. In his grief and rage at the loss of his sons, Ocalo threw the sacred spears of Nyikang into the river to signify that he considered his house at an end, since he had now no son worthy of succeeding him. The son who was left, Duad by name, upbraided his father fiercely, and swore that if ever he became king he would disinherit and degrade the other children of Ocalo. Eventually he did become king, and kept to his oath. His half-brothers were all degraded to the level of commoners, but because of their undoubted royal ancestry they formed a special clan among the other royal clans. To compensate them for the loss of their rank they were given, and still hold, special functions at the installation and burial ceremonies of the king. They used also to hold the office of royal executioners and put to death all those who fell under the king's displeasure, but in these more enlightened times, that office is no longer required.

The third class is that of the Colo. Strictly speaking this

29:Dempsey M-5 (1940-1954) 1955
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with their harpoons and spears and driving the fish before them. The fish that escape the spears and are caught in the nets are collected, and the operation is repeated again and again until the late afternoon when either the fishing or the fishermen are exhausted and the party returns laden with the burden of the catch. It sometimes happens that the fishing is not successful, and the fishermen return with a very poor load, or even nothing at all. Once I met such a party coming back dejected from a full day's fruitless toil; all that they had to show as the result of eight hours' strenuous work in the sun was a large rat dangling from the end of a spear. On another occasion the fishing had hardly begun in earnest before one of the men was seized by a large crocodile. I am sorry to say that his companions in their panic ran off and left him to his fate, but he attacked the brute with his spear and managed to free himself. Needless to say, the fishing was abandoned for that day. The Sisters nursed the victim, whose thigh was badly lacerated, and after some months, thanks to their care, he recovered completely. When these communal fishing expeditions take place, the school might as well be closed for all the learning that is done. It is just as impossible to keep the boys to their lessons, as it would be to keep a class of English boys if a cup-tie were being played on the school football field. So when the vanguard of the fishing party passes the school, we call it a day and send the pupils off. If the results are good, there are empty places in the classroom for many days afterwards, for the boys who live locally stay at home as long as the good living lasts.

For the Shilluk youth who finds community fishing a dull affair, in spite of the dangers of being seized by a crocodile or being harpooned by an over-excited companion, there are always the hazards and profits of hunting hippopotamus. The hippo which are so numerous in the Nile, and particularly in the Bahr-el-Gazal, are strictly royal game. The Shilluk may hunt if they wish, but a large portion of the carcase must be sent to the king in Fashoda, and a hunter who refused to do this, or tried to conceal his 'bag', would

29:Dempsey M-5 (1940-1954) 1955
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soon find the king's wrath heavy upon him and his cattle taken to satisfy the outrage on the royal dignity. Hippo hunting is done by night as well as by day. At night the hunters lie in wait for their victim as he emerges from the river to eat and sleep. On the morning of the day of the hunt, one or two men will go out early to look for the place where the hippo has lain up during the night, and from it they trace the path he has made through the tall grass and reeds to the water. In the evening four or five hunters go to the place and lie hidden in the grass. As the beast comes up from the water they stab it with a short, heavy harpoon, and if it falls, hamstring and then kill it. To the shaft of the harpoon is attached a long line with floats of ambach wood tied at intervals. If the wounded animal is able to plunge back into the river the hunters will follow its flight in their canoes, provided there is a good moon. When the hippo surfaces for breath they attack him again with a harpoon, trying to strike him in the back of the neck and in the nose, and this second attack usually finishes him off. He submerges again, but in a couple of hours floats to the surface like an enormous balloon and is easily pushed into the shallows, and there left to be cut up at leisure the next day. The hunters in the meantime go off in search of another victim, and thus in one night may take three or four beasts. If the night is too dark for them to pursue their victim, they leave it till the morning when they search the river carefully for the floats which are sometimes found tangled up in the long grass on the bank. In the daytime they will boldly strike at a hippo from their canoe, as he surfaces to breathe, and pursue him, attacking constantly until he is killed. The people of the village nearest the spot where the carcase is floated ashore assist in cutting it up, and receive a portion of the meat and hide as their reward. The choicest parts, including most of the fat, belong to the king and must be sent to Fashoda; the chief, too, levies a generous share for himself, and the rest belongs to the hunters.

Of course a hippo hunt is not always such a one-sided affair, for occasionally the wounded animal will turn on its